

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)	
)	MB Docket No. 17-105
Modernization of Media Regulation)	RM-_____
Initiative)	
)	

To: Marlene H. Dortch, Secretary
Federal Communications Commission
Office Of The Secretary

Chief, Media Bureau

COMMENTS OF SSR COMMUNICATIONS, INC.

These comments are filed by SSR Communications, Inc. (“SSR”) with respect to the above-referenced proceeding, 17-105, *Modernization of Media Regulation Initiative*. In April, 2017, the Commission asked for public input on how best to streamline or eliminate its existing regulations in a way that reflects the current media environment. SSR believes that there are three such regulations and/or Commission policies which are no longer necessary, as follows:

1. RELAXATION OF THIRD ADJACENT FM SEPARATION STANDARDS

SSR respectfully requests that the Commission relax, or discontinue altogether, third-adjacent Section 73.207 and 73.215 FM broadcast separation protection standards for all station classes, provided that in the case of relaxation, an intended licensee can demonstrate that its proposed facilities and antenna system would not cause any real-world interference to third-adjacent stations. As selectivity and adjacent channel

protection ratios in modern receivers have (generally) steadily improved over the past few decades, SSR asserts that third-adjacent separation standards are largely unnecessary. If, however, the Commission cannot abandon third-adjacent spacings completely, then SSR believes that an intended licensee should be given the opportunity to demonstrate that its actual facilities would not cause interference to neighboring stations, much as FM translator services (and LPFM stations, which may largely ignore third-adjacent spacing tables) are able to do now. In the case of the FM allocations process for new full-power stations, third-adjacent channel separations could be ignored throughout the allotment proceeding, but as part of its accompanying Form 301 new station application, the original petitioner would have to demonstrate that a valid compliant tower site and FM antenna transmission system exists prior to said allocation proposal receiving public comment.

SSR respectfully contends that such a change would allow hundreds of full power stations an opportunity to relocate or upgrade to less congested channels without impacting the actual signals of neighboring stations.

2. AUTOMATIC 73.215 CONFERENCE PROCEDURE TO UNDERBUILT FMS

As part of an earlier-filed petition, jointly authored along with the (now) Multicultural Media, Telecom, and Internet Council (MMTC, RM-11727), SSR respectfully asserts that nonreserved band FM full power stations that are authorized under Section 73.207 of the Commission's Rules should be subject to 73.215 reclassification, provided that said stations have been underbuilt for a period of at least ten years preceding the filing of a valid competing “triggering” application of a

neighboring station. If a subject station is not and has not been operating at its maximum tower height and/or effective radiated power level (or the equivalent combination thereof) for more than a decade, a station with a specific competing proposal that is otherwise blocked from enhancing or upgrading its own signal would be able to do so through an automatic 73.215 conference procedure to the underbuilt station. This policy would not affect all underbuilt stations uniformly, but rather, reclassify only those who face a specific competing FM application from an adjacent station, much as the Commission's FM Class C to Class C0 downgrade procedure.

Although SSR petitioned the Commission for this change as part of RM-11727 in 2013, as well as a broader similar proposal as part of RM-11643 in 2011, the Commission has yet to act on either initiative. As in the previous proposal herein, SSR respectfully contends that such a change would allow hundreds of full power stations an opportunity to relocate or upgrade to less congested channels without impacting the actual signals of neighboring stations.

3. LOTTERY ADVERTISING POLICY

SSR is the licensee of WYAB 103.9 FM (Facility 77646) at Pocahontas, Mississippi, which is located in one of four states in the United States that do not administer a government-operated lottery. As such, the Commission currently prohibits WYAB from running lottery advertisements from neighboring states, as there is no such lottery program in its home state. WYAB airs network sports programming based out of *three* neighboring states: Georgia, Tennessee, and Louisiana, all of which have lotteries and run out-of-state lottery advertisements on their broader sports networks. As WYAB

must “cover up” each lottery announcement, some of which are “live reads” that are difficult to predict, there is a tremendous burden placed upon SSR to stay in compliance with the Commissions seemingly senseless policies pertaining to lottery advertisements. Although this issues only affects stations in Alabama, Hawaii, Mississippi, and Utah, SSR respectfully believes that there is no rational reason for keeping this policy in place and asks that the Commission discontinue its stance on the prohibition of lottery advertisements in certain states.

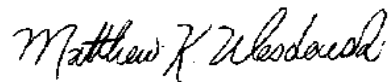
CONCLUSION

SSR applauds the Commission for considering these, and other issues pertaining to broadcast radio. Such attempts at relief of the many burdens placed upon broadcasters is a welcome development.

Date: June 23, 2017

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Respectfully Submitted,

A handwritten signature in black ink, reading "Matthew K. Wesolowski". The signature is written in a cursive, flowing style.

Matthew Wesolowski
Chief Executive Officer
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